APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,472	06/19/2003	Lance Peterson	005220.P006	6337

7590 11/16/2007	EXAMINER
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ART UNIT	PAPER NUMBER
2155	

MAIL DATE	DELIVERY MODE
11/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/600,472	PETERSON ET AL.
	Examiner	Art Unit	
	Thuong (Tina) T. Nguyen	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>11 October 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-56</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-56</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>10/11/07</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

1.   This action is responsive to the amendment filed on 10/11/07. Claims 1, 17, 28,

33, 36, 41, 51 & 53 were amended. Claims 1-56 are pending and represent method of

modifying a checksuite.

Claim Rejections - 35 USC § 101

2.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

3.   Claims 41-56 are rejected under 35 U.S.C. 101 because the claimed invention is

not limited to tangible embodiments. The claims recited, "apparatus" with various

"means" is nonstatutory. Since claims 41-56 directed to an "apparatus", a broad,

reasonable interpretation of the recited "means" is that they are directed to software per

se, which is non-statutory, since the specification describes, at paragraph [0041], that

the present invention may be provided as "software". As such, the claim is no limited to

statutory subject matter and is therefore nonstatutory.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of
> making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the
> art to which it pertains, or with which it is most nearly connected, to make and use the same and shall
> set forth the best mode contemplated by the inventor of carrying out his invention.

5.   Claims 1, 17, 28, 33, 36, 41, 51 & 53 rejected under 35 U.S.C. 112, first

paragraph, as failing to comply with the enablement requirement. The claim(s) contains

subject matter which was not described in the specification in such a way as to enable

one skilled in the art to which it pertains, or with which it is most nearly connected, to

make and/or use the invention. Checksuit applied to two or more previously selected

machines having different operating systems.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 1-32 & 41-50 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Moulden, Patent No. 2006/0206870 A1 in view of Brooks, Patent No.

2003/0212982 A1.

Moulden teaches the invention substantially as claimed including integrated

computer testing and task management systems (see abstract).

8.   As to claim 1, Moulden teaches a method, comprising:

selecting a checksuite for editing (figure 9; figure 15-16; figure 29; page 3, paragraph 47; Moulden discloses that the method of selecting existing test project or creating a test project); and

editing the checksuite (page 5, paragraph 60 & 65; page 9, paragraph 98; Moulden discloses that the method of modifying attributes of an existing suite or modifying test suite).

But Moulden failed to teach the claim limitation wherein the checksuite applied to two or more previously selected machines having different operating systems.

However, Brooks teaches message compiler for internationalization of application programs (see abstract). Brooks teaches the limitation wherein the checksuite applied to two or more previously selected machines having different operating systems (page 1, paragraph 7-8; page 3, paragraph 24).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Moulden in view of Brooks so that the system would be able to apply the test suite to multiple versions of multiple operating systems. One would be motivated to do so to verified for the full suite of different applications on different systems.

9.   As to claim 2, Moulden and Brooks teach the method as recited in claim 1, wherein editing the checksuite further comprises:

adding one or more new individual checks to the checksuite (page 6, paragraph 72; Moulden discloses that the method of adding or specifying the context for suites and test group); and

applying the edited checksuite to the one or more previously selected machines

(page 6, paragraph 68; Moulden discloses that the method of activates the test suite

once the user complete the process).

10.   As to claim 3, Moulden and Brooks teach the method as recited in claim 2,

further comprising:

selecting one or more additional machines to receive the edited checksuite (page

6, paragraph 69; Moulden discloses that the method of selecting the desire test suite);

and

applying the edited checksuite to the newly selected machines (page 7,

paragraph 77; Moulden discloses that the method of run the test suite for the selected

machine).

11.   As to claim 4, Moulden and Brooks teach the method as recited in claim 2,

further comprising:

de-selecting at least one of the one or more machines previously selected (page

6, paragraph 72; Moulden discloses that the method of deleting and modifying the

selected test suite); and

removing the edited checksuite from the deselected machines (page 5,

paragraph 66; Moulden discloses that the method of removing the selected test suite

form the machine).

12.   As to claim 5, Moulden and Brooks teach the method as recited in claim 2,

wherein applying the edited checksuite to the one or more previously selected machines

cancels any differences made to at least one of the one or more previously selected

machines (page 4, paragraph 48-50; Moulden discloses that the method of applying the test suite and creating the sequence for the test suite).

13.   As to claim 6, Moulden and Brooks teach the method as recited in claim 2, wherein applying the edited checksuites to the one or more previously selected machines preserves any differences made to at least one of the one or more previously selected machines (page 5, paragraph 58; Moulden discloses that the method of run the test suite for the selecting machines).

14.   As to claim 7, Moulden and Brooks teach the method as recited in claim 1, wherein editing the checksuite further comprises:

deleting one or more individual checks from the checksuite (page 5, paragraph 63; Moulden discloses that the method of deleting the selected test case from the test suite); and

applying the edited checksuite to the one or more previously selected machines (page 9, paragraph 95; Moulden discloses that the method of run the test suite for the selected machine).

15.   As to claim 8, Moulden and Brooks teach the method as recited in claim 7, further comprising:

selecting one or more additional machines to receive the edited checksuite (page 6, paragraph 69; Moulden discloses that the method of selecting the desire test suite); and

applying the edited checksuite to the newly selected machines (page 7,

paragraph 77; Moulden discloses that the method of run the test suite for the selected

machine).

16.   As to claim 9, Moulden and Brooks teach the method as recited in claim 7,

further comprising:

de-selecting at least one of the one or more machines previously selected (page

6, paragraph 72; Moulden discloses that the method of deleting and modifying the

selected test suite); and

removing the edited checksuite from the de-selected machines (page 5,

paragraph 66; Moulden discloses that the method of removing the selected test suite

form the machine).

17.   As to claim 10, Moulden and Brooks teach the method as recited in claim 7,

wherein applying the edited checksuite to the one or more previously selected machines

cancels any differences made to at least one of the one or more previously selected

machines (page 4, paragraph 48-50; Moulden discloses that the method of applying the

test suite and creating the sequence for the test suite).

18.   As to claim 11, Moulden and Brooks teach the method as recited in claim 7,

wherein applying the edited checksuite to the one or more previously selected machines

preserves any differences made to at least one of the one or more previously selected

machines (page 5, paragraph 58; Moulden discloses that the method of run the test

suite for the selecting machines).

19.   As to claim 12, Moulden and Brooks teach the method as recited in claim 1,

wherein editing the checksuite further comprises:

modifying one or more individual checks within the checksuite (page 9,

paragraph 98; Moulden discloses that the method of modifying the test case within the

test suite or test group); and

applying the edited checksuite to the one or more previously selected machines

(page 7, paragraph 77; Moulden discloses that the method of activate the test suite from

the selected machine).

20.   As to claim 13, Moulden and Brooks teach the method as recited in claim 12,

further comprising:

selecting one or more additional machines to receive the edited checksuite (page

6, paragraph 69; Moulden discloses that the method of selecting the desire test suite);

and

applying the edited checksuite to the newly selected machines (page 7,

paragraph 77; Moulden discloses that the method of run the test suite for the selected

machine).

21.   As to claim 14, Moulden and Brooks teach the method as recited in claim 12,

further comprising:

de-selecting at least one of the one or more machines previously selected (page

6, paragraph 72; Moulden discloses that the method of deleting and modifying the

selected test suite); and

removing the edited checksuite from the de-selected machines (page 5,

paragraph 66; Moulden discloses that the method of removing the selected test suite

form the machine).

22.   As to claim 15, Moulden and Brooks teach the method as recited in claim 12,

wherein applying the edited checksuite to the one or more previously selected machines

cancels any differences made to at least one of the one or more previously selected

machines (page 4, paragraph 48-50; Moulden discloses that the method of applying the

test suite and creating the sequence for the test suite).

23.   As to claim 16, Moulden and Brooks teach the method as recited in claim 12,

wherein applying the edited checksuites to the one or more previously selected

machines preserves any differences made to at least one of the one or more previously

selected machines (page 5, paragraph 58; Moulden discloses that the method of run the

test suite for the selecting machines).

24.   As to claim 17, Moulden teaches a machine-readable medium including program

code, which when executed by a processor causes the processor to perform the

following:

selecting a checksuite for editing (figure 9; figure 15-16; figure 29; page 3,

paragraph 47; Moulden discloses that the machine-readable medium of selecting

existing test project or creating a test project); and

editing the checksuite (page 5, paragraph 60 & 65; page 9, paragraph 98;

Moulden discloses that the machine-readable medium of modifying attributes of an

existing suite or modifying test suite).

But Moulden failed to teach the claim limitation wherein the checksuite applied to two or more previously selected machines having different operating systems.

However, Brooks teaches the limitation wherein the checksuite applied to two or more previously selected machines having different operating systems (page 1, paragraph 7-8; page 3, paragraph 24).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Moulden in view of Brooks so that the system would be able to apply the test suite to multiple versions of multiple operating systems. One would be motivated to do so to verified for the full suite of different applications on different systems.

25. As to claim 18, Moulden and Brooks teach the machine-readable medium as recited in claim 17, which causes the processor to further perform:

adding one or more individual checks to the checksuite (page 6, paragraph 72; Moulden discloses that the machine-readable medium of adding or specifying the context for suites and test group); and

applying the edited checksuite to the one or more previously selected machines (page 6, paragraph 68; Moulden discloses that the machine-readable medium of activates the test suite once the user complete the process).

26. As to claim 19, Moulden and Brooks teach the machine-readable medium as recited in claim 18, which causes the processor to further perform:

selecting one or more additional machines to receive the edited checksuite (page

6, paragraph 69; Moulden discloses that the machine-readable medium of selecting the

desire test suite); and

applying the edited checksuite to the newly selected machines (page 7,

paragraph 77; Moulden discloses that the machine-readable medium of run the test

suite for the selected machine).

27.   As to claim 20, Moulden and Brooks teach the machine-readable medium as

recited in claim 18, which causes the processor to further perform:

de-selecting at least one of the one or more machines previously selected (page

6, paragraph 72; Moulden discloses that the machine-readable medium of deleting and

modifying the selected test suite); and

removing the edited checksuite from the de-selected machines (page 5,

paragraph 66; Moulden discloses that the machine-readable medium of removing the

selected test suite form the machine).

28.   As to claim 21, Moulden and Brooks teach the machine-readable medium as

recited in claim 18, wherein canceling any differences made to at least one of the one or

more previously selected machines (page 4, paragraph 48-50; Moulden discloses that

the machine-readable medium of applying the test suite and creating the sequence for

the test suite).

29.   As to claim 22, Moulden and Brooks teach the machine-readable medium as

recited in claim 18, wherein preserving any differences made to at least one of the one

or more previously selected machines (page 5, paragraph 58; Moulden discloses that

the machine-readable medium of run the test suite for the selecting machines).

30.   As to claim 23, Moulden and Brooks teach the machine-readable medium as

recited in claim 17, which causes the processor to further perform:

deleting one or more individual checks from the checksuite (page 5, paragraph

63; Moulden discloses that the machine-readable medium of deleting the selected test

case from the test suite); and

applying the edited checksuite to the one or more previously selected machines

(page 9, paragraph 95; Moulden discloses that the machine-readable medium of run the

test suite for the selected machine).

31.   As to claim 24, Moulden and Brooks teach the machine-readable medium as

recited in claim 23, which causes the processor to further perform:

selecting one or more additional machines to receive the edited checksuite (page

6, paragraph 69; Moulden discloses that the machine-readable medium of selecting the

desire test suite); and

applying the edited checksuite to the newly selected machines (page 7,

paragraph 77; Moulden discloses that the machine-readable medium of run the test

suite for the selected machine).

32.   As to claim 25, Moulden and Brooks teach the machine-readable medium as

recited in claim 23, which causes the processor to further perform:

de-selecting at least one of the one of more machines previously selected (page

6, paragraph 72; Moulden discloses that the machine-readable medium of deleting and

modifying the selected test suite); and

removing the edited checksuite from the de-selected machines (page 5,

paragraph 66; Moulden discloses that the machine-readable medium of removing the

selected test suite form the machine).

33.   As to claim 26, Moulden and Brooks teach the machine-readable medium as

recited in claim 23, wherein canceling any differences made to one of the one or more

previously selected machines (page 4, paragraph 48-50; Moulden discloses that the

machine-readable medium of applying the test suite and creating the sequence for the

test suite).

34.   As to claim 27, Moulden and Brooks teach the machine-readable medium as

recited in claim 23, wherein preserving any differences made to at least one of the one

or more previously selected machines (page 5, paragraph 58; Moulden discloses that

the machine-readable medium of run the test suite for the selecting machines).

35.   As to claim 28, Moulden and Brooks teach the machine-readable medium as

recited in claim 17, which causes the processor to further perform:

modifying one or more individual checks within the checksuite (page 9,

paragraph 98; Moulden discloses that the machine-readable medium of modifying the

test case within the test suite or test group); and

applying the edited checksuite to the one or more previously selected machines

(page 7, paragraph 77; Moulden discloses that the machine-readable medium of

activate the test suite from the selected machine).

36.   As to claim 29, Moulden and Brooks teach the machine-readable medium as

recited in claim 28, which causes the processor to further perform:

selecting one or more additional machines to receive the edited checksuite (page

6, paragraph 69; Moulden discloses that the machine-readable medium of selecting the

desire test suite); and

applying the edited checksuite to the newly selected machines (page 7,

paragraph 77; Moulden discloses that the machine-readable medium of run the test

suite for the selected machine).

37.   As to claim 30, Moulden and Brooks teach the machine-readable medium as

recited in claim 28, which causes the processor to further perform:

de-selecting at least one of the one or more machines previously selected (page

6, paragraph 72; Moulden discloses that the machine-readable medium of deleting and

modifying the selected test suite); and

removing the edited checksuite from the de-selected machines (page 5,

paragraph 66; Moulden discloses that the machine-readable medium of removing the

selected test suite form the machine).

38.   As to claim 31, Moulden and Brooks teach the machine-readable medium as

recited in claim 28, wherein canceling any differences made to at least one of the one or

more previously selected machines (page 4, paragraph 48-50; Moulden discloses that

the machine-readable medium of applying the test suite and creating the sequence for

the test suite).

39.   As to claim 32, Moulden and Brooks teach the machine-readable medium as

recited in claim 28, wherein preserving any differences made to at least one of the one

or more previously selected machines (page 5, paragraph 58; Moulden discloses that

the machine-readable medium of run the test suite for the selecting machines).

40.   As to claim 41, Moulden teaches an apparatus, comprising:

        means for selecting a checksuite for editing (figure 9; figure 15-16; figure 29;

page 3, paragraph 47; Moulden discloses that the apparatus of selecting existing test

project or creating a test project); and

        means for editing the checksuite (page 5, paragraph 60 & 65; page 9, paragraph

98; Moulden discloses that the apparatus of modifying attributes of an existing suite or

modifying test suite).

        But Moulden failed to teach the claim limitation wherein the checksuite applied to

two or more previously selected machines having different operating systems.

        However, Brooks teaches the limitation wherein the checksuite applied to two or

more previously selected machines having different operating systems (page 1,

paragraph 7-8; page 3, paragraph 24).

        It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Moulden in view of Brooks so that the system would be able to apply

the test suite to multiple versions of multiple operating systems. One would be

motivated to do so to verified for the full suite of different applications on different

systems.

41.   As to claim 42, Moulden and Brooks teach an apparatus as recited in claim 41,

wherein the means for editing the checksuite further comprises:

    means for adding one or more new individual checks to the checksuite (page 6,

paragraph 72; Moulden discloses that the apparatus of adding or specifying the context

for suites and test group); and

    means for applying the edited checksuite to the one or more previously selected

machines (page 6, paragraph 68; Moulden discloses that the apparatus of activates the

test suite once the user complete the process).

42.   As to claim 43, Moulden and Brooks teach an apparatus as recited in claim 42,

further comprising:

    means for selecting one or more additional machines to receive the edited

checksuite (page 6, paragraph 69; Moulden discloses that the apparatus of selecting

the desire test suite); and

    means for applying the edited checksuite to the newly selected machines (page

7, paragraph 77; Moulden discloses that the apparatus of run the test suite for the

selected machine).

43.   As to claim 44, Moulden and Brooks teach an apparatus as recited in claim 42,

further comprising:

means for de-selecting at least one of the one or more machines previously selected (page 6, paragraph 72; Moulden discloses that the apparatus of deleting and modifying the selected test suite); and

means for removing the edited checksuite from the deselected machines (page 5, paragraph 66; Moulden discloses that the apparatus of removing the selected test suite form the machine).

44. As to claim 45, Moulden and Brooks teach an apparatus as recited in claim 41, wherein editing the checksuite further comprises:

means for deleting one or more individual checks from the checksuite (page 5, paragraph 63; Moulden discloses that the apparatus of deleting the selected test case from the test suite); and

means for applying the edited checksuite to the one or more previously selected machines (page 9, paragraph 95; Moulden discloses that the apparatus of run the test suite for the selected machine).

45. As to claim 46, Moulden and Brooks teach an apparatus as recited in claim 41, further comprising:

selecting one or more additional machines to receive the edited checksuite (page 6, paragraph 69; Moulden discloses that the apparatus of selecting the desire test suite); and

applying the edited checksuite to the newly selected machines (page 7, paragraph 77; Moulden discloses that the apparatus of run the test suite for the selected machine).

46.   As to claim 47, Moulden and Brooks teach an apparatus as recited in claim 41,

further comprising:

means for de-selecting at least one of the one or more machines previously

selected (page 6, paragraph 72; Moulden discloses that the apparatus of deleting and

modifying the selected test suite); and

means for removing the edited checksuite from the de-selected machines (page

5, paragraph 66; Moulden discloses that the apparatus of removing the selected test

suite form the machine).

47.   As to claim 48, Moulden and Brooks teach an apparatus as recited in claim 41,

wherein editing the checksuite further comprises:

means for modifying one or more individual checks within the checksuite (page 9,

paragraph 98; Moulden discloses that the apparatus of modifying the test case within

the test suite or test group); and

means for applying the edited checksuite to the one or more previously selected

machines (page 7, paragraph 77; Moulden discloses that the apparatus of activate the

test suite from the selected machine).

48.   As to claim 49, Moulden and Brooks teach an apparatus as recited in claim 48,

further comprising:

means for selecting one or more additional machines to receive the edited

checksuite (page 6, paragraph 69; Moulden discloses that the apparatus of selecting

the desire test suite); and

means for applying the edited checksuite to the newly selected machines (page 7, paragraph 77; Moulden discloses that the apparatus of run the test suite for the selected machine).

49.   As to claim 50, Moulden and Brooks teach an apparatus as recited in claim 48, further comprising:

means for de-selecting at least one of the one or more machines previously selected (page 6, paragraph 72; Moulden discloses that the apparatus of deleting and modifying the selected test suite); and

means for removing the edited checksuite from the de-selected machines (page 5, paragraph 66; Moulden discloses that the apparatus of removing the selected test suite form the machine).

50.   Claims 33-40 & 51-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moulden, Patent No. 2006/0206870 A1 in view of Brooks, Patent No. 2003/0212982 A1, and further in view of Singh, Patent No. 2003/0037289 A1.

Moulden teaches the invention substantially as claimed including integrated computer testing and task management systems (see abstract).

51.   As to claim 33, Moulden teaches a method comprising:

selecting the requested checksuite (page 1, paragraph 10; page 3, paragraph 47; Moulden discloses that the method of selecting the appropriate test suite);

editing the checksuite (page 5, paragraph 60 & 65; page 9, paragraph 98;

Moulden discloses that the method of modifying attributes of an existing suite or

modifying test suite).

But Moulden failed to teach the claim limitation wherein receiving a request to

select a checksuite for editing, the checksuite applied to two or more previously

selected machines having different operating systems.

However, Singh teaches fault tolerance software system with periodic external

self-test failure detection (see abstract). Signh teaches the limitation wherein receiving

a request to select a checksuite for editing (figure 4B; page 2, paragraph 26).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Moulden in view of Singh so that the system would be able to

process corresponding requests for the test script. One would be motivated to

monitoring server processes in a client-server system.

However, Brooks teaches the limitation wherein the checksuite applied to two or

more previously selected machines having different operating systems (page 1,

paragraph 7-8; page 3, paragraph 24).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Moulden in view of Brooks so that the system would be able to apply

the test suite to multiple versions of multiple operating systems. One would be

motivated to do so to verified for the full suite of different applications on different

systems.

52.   As to claim 34, Moulden, Brooks and Singh teach the method as recited in claim

33, wherein saving the changes made to the selected checksuite (page 6, paragraph

68; Moulden discloses that the method of saving the changes for the test suite).

    But Moulden and Brooks failed to teach the claim limitation wherein receiving

changes made to the selected checksuite; receiving a request to save the changes

made to the selected checksuite.

    However, Singh teaches the limitation wherein receiving changes made to the

selected checksuite (figure 5-7); receiving a request to save the changes made to the

selected checksuite (page 4, paragraph 41).

    It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the combination of Moulden and Brooks in view of Singh so that the

system would be able to response to the request from the client. One would be

motivated to do so to issue the request and confirm the response for the particular

requests.

53.   As to claim 35, Moulden, Brooks and Singh teach the method as recited in claim

33, wherein editing the checksuite further comprises:

    adding the new individual checks to the selected checksuite (page 6, paragraph

72; Moulden discloses that the method of adding or specifying the context for suites and

test group);

    saving the selected checksuite as modified (page 6, paragraph 68; Moulden

discloses that the method of saving the changes for the test suite); and

applying the modified checksuite to the one or more previously selected

machines (page 6, paragraph 68; Moulden discloses that the method of activates the

test suite once the user complete the process).

But Moulden and Brooks failed to teach the claim limitation wherein receiving

new individual checks.

However, Singh teaches the limitation wherein receiving new individual checks

(figure 5-7).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the combination of Moulden and Brooks in view of Singh so that the

system would be able to response to the request from the client. One would be

motivated to do so to issue the request and confirm the response for the particular

requests.

54.   As to claim 36, Moulden, Brooks and Singh teach the method as recited in claim

33, wherein editing the checksuite further comprises:

selecting the requested one or more individual checks (figure 9; figure 15-16;

figure 29; page 3, paragraph 47; Moulden discloses that the method of selecting

existing test project or creating a test project);

deleting the selected one or more individual checks (page 5, paragraph 63;

Moulden discloses that the method of deleting the selected test case from the test

suite);

saving the modified checksuite (page 6, paragraph 68; Moulden discloses that

the method of saving the changes for the test suite); and

applying the modified checksuite to the one or more machines previously selected (page 6, paragraph 68; Moulden discloses that the method of activates the test suite once the user complete the process).

But Moulden and Brooks failed to teach the claim limitation wherein receiving a request to select one or more of the individual checks; receiving a request the delete the selected one or more individual checks; receiving a request to save the checksuite as modified.

However, Singh teaches the limitation wherein receiving a request to select one or more of the individual checks (figure 5-7); receiving a request the delete the selected one or more individual checks (page 4, paragraph 42); receiving a request to save the checksuite as modified (page 4, paragraph 41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Moulden and Brooks in view of Singh so that the system would be able to response to the request from the client. One would be motivated to do so to issue the request and confirm the response for the particular requests.

55.   As to claim 37, Moulden, Brooks and Singh teach the method as recited in claim 33, wherein editing the checksuite further comprises:

selecting the one or more requested individual checks (figure 9; figure 15-16; figure 29; page 3, paragraph 47; Moulden discloses that the method of selecting existing test project or creating a test project);

saving the one or more modified individual checks (page 6, paragraph 68;

Moulden discloses that the method of saving the changes for the test suite).

But Moulden and Brooks failed to teach the claim limitation wherein receiving a

request to select one or more individual checks within the checksuite; receiving a

modification of at least one parameter of the one or more selected individual checks;

receiving a request to save the one or more individual checks as modified.

However, Moulden teaches the limitation wherein receiving a request to select

one or more individual checks within the checksuite (figure 5-7); receiving a modification

of at least one parameter of the one or more selected individual checks (page 4,

paragraph 41); receiving a request to save the one or more individual checks as

modified (page 4, paragraph 41).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the combination of Moulden and Brooks in view of Singh so that the

system would be able to response to the request from the client. One would be

motivated to do so to issue the request and confirm the response for the particular

requests.

56.   As to claim 38, Moulden, Brooks and Singh teach the method as recited in claim

37, wherein applying the checksuite containing the one or more modified individual

checks to the one or more previously selected machines (page 6, paragraph 68;

Moulden discloses that the method of activates the test suite once the user complete

the process).

But Moulden and Brooks failed to teach the claim limitation wherein receiving a request to apply the checksuite containing the one or more modified individual checks to the one or more previously selected machines (figure 4B; page 2, paragraph 26).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Moulden and Brooks in view of Singh so that the system would be able to process corresponding requests for the test script. One would be motivated to monitoring server processes in a client-server system.

57.   As to claim 39, Moulden, Brooks and Singh teach the method as recited in claim 36, wherein applying the modified checksuite to the one or more previously selected machines preserves differences made to the one or more previously selected machines (6).

58.   As to claim 40, Moulden, Brooks and Singh teach the method as recited in claim 36, wherein applying the modified checksuite to the one or more previously selected machines cancels differences made to the one or more previously selected machines (5).

59.   As to claim 51, Moulden teaches an apparatus, comprising:

means for selecting the requested checksuite (page 1, paragraph 10; page 3, paragraph 47; Moulden discloses that the apparatus of selecting the appropriate test suite); and

means for editing the checksuite (page 5, paragraph 60 & 65; page 9, paragraph 98; Moulden discloses that the apparatus of modifying attributes of an existing suite or modifying test suite).

But Moulden and Brooks failed to teach the claim limitation wherein means for

receiving a request to select a checksuite for editing, the checksuite applied to two or

more previously selected machines having different operating systems.

However, Singh teaches the limitation wherein means for receiving a request to

select a checksuite for editing (figure 4B; page 2, paragraph 26).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the combination of Moulden and Brooks in view of Singh so that the

system would be able to process corresponding requests for the test script. One would

be motivated to monitoring server processes in a client-server system.

However, Brooks teaches the limitation wherein , the checksuite applied to two or

more previously selected machines having different operating systems (page 1,

paragraph 7-8; page 3, paragraph 24).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify Moulden in view of Brooks so that the system would be able to apply

the test suite to multiple versions of multiple operating systems. One would be

motivated to do so to verified for the full suite of different applications on different

systems.

60.   As to claim 52, Moulden, Brooks and Singh teach an apparatus as recited in

claim 51, wherein means for saving the changes made to the selected checksuite

(page 6, paragraph 68; Moulden discloses that the apparatus of saving the changes for

the test suite).

But Moulden and Brooks failed to teach the claim limitation wherein means for

receiving changes made to the selected checksuite; means for receiving a request to

save the changes made to the selected checksuite.

However, Singh teaches the limitation wherein means for receiving changes

made to the selected checksuite (figure 5-7); means for receiving a request to save the

changes made to the selected checksuite (page 4, paragraph 41).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to modify the combination of Moulden and Brooks in view of Singh so that the

system would be able to response to the request from the client. One would be

motivated to do so to issue the request and confirm the response for the particular

requests.

61. As to claim 53, Moulden, Brooks and Singh teach an apparatus as recited in

claim 51, wherein the means for editing the checksuite further comprises:

means for adding the new individual checks to the selected checksuite (page 6,

paragraph 72; Moulden discloses that the apparatus of adding or specifying the context

for suites and test group);

means for saving the selected checksuite as modified (page 6, paragraph 68;

Moulden discloses that the apparatus of saving the changes for the test suite); and

means for applying the modified checksuite to the one or more previously

selected machines (page 6, paragraph 68; Moulden discloses that the apparatus of

activates the test suite once the user complete the process).

But Moulden and Brooks failed to teach the claim limitation wherein means for receiving new individual checks.

However, Singh teaches the limitation wherein means for receiving new individual checks (figure 5-7).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Moulden and Brooks in view of Singh so that the system would be able to response to the request from the client. One would be motivated to do so to issue the request and confirm the response for the particular requests.

62.   As to claim 54, Moulden, Brooks and Singh teach an apparatus as recited in claim 53, wherein the means for editing the checksuite further comprises:

means for selecting the requested one or more individual checks (figure 9; figure 15-16; figure 29; page 3, paragraph 47; Moulden discloses that the apparatus of selecting existing test project or creating a test project);

means for deleting the selected one or more individual checks (page 5, paragraph 63; Moulden discloses that the apparatus of deleting the selected test case from the test suite);

means for saving the modified checksuite (page 6, paragraph 68; Moulden discloses that the apparatus of saving the changes for the test suite); and

means for applying the modified checksuite to the one or more machines previously selected (page 6, paragraph 68; Moulden discloses that the apparatus of activates the test suite once the user complete the process).

But Moulden and Brooks failed to teach the claim limitation wherein means for receiving a request to select one or more of the individual checks; means for receiving a request the delete the selected one or more individual checks; means for receiving a request to save the checksuite as modified.

However, Singh teaches the limitation wherein means for receiving a request to select one or more of the individual checks (figure 5-7); means for receiving a request the delete the selected one or more individual checks (page 4, paragraph 41); means for receiving a request to save the checksuite as modified (page 4, paragraph 41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Moulden and Brooks in view of Singh so that the system would be able to response to the request from the client. One would be motivated to do so to issue the request and confirm the response for the particular requests.

63. As to claim 55, Moulden, Brooks and Singh teach an apparatus as recited in claim 51, wherein editing the checksuite further comprises:

means for selecting the one or more requested individual checks (figure 9; figure 15-16; figure 29; page 3, paragraph 47; Moulden discloses that the apparatus of selecting existing test project or creating a test project);

means for saving the one or more modified individual checks (page 6, paragraph 68; Moulden discloses that the apparatus of saving the changes for the test suite). ·

But Moulden and Brooks failed to teach the claim limitation wherein means for receiving a request to select one or more individual checks within the checksuite;

means for receiving a modification of at least one parameter of the one or more selected individual checks; means for receiving a request to save the one or more individual checks as modified.

However, Singh teaches the limitation wherein means for receiving a request to select one or more individual checks within the checksuite (figure 5-7); means for receiving a modification of at least one parameter of the one or more selected individual checks (page 4, paragraph 41); means for receiving a request to save the one or more individual checks as modified (page 4, paragraph 41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Moulden and Brooks in view of Singh so that the system would be able to response to the request from the client. One would be motivated to do so to issue the request and confirm the response for the particular requests.

64.   As to claim 56, Moulden, Brooks and Singh teach an apparatus as recited in claim 55, wherein means for applying the checksuite containing the one or more modified individual checks to the one or more previously selected machines (page 6, paragraph 68; Moulden discloses that the apparatus of activates the test suite once the user complete the process).

But Moulden and Brooks failed to teach the claim limitation wherein means for receiving a request to apply the checksuite containing the one or more modified individual checks to the one or more previously selected machines.

However, Singh teaches the limitation wherein means for receiving a request to apply the checksuite containing the one or more modified individual checks to the one or more previously selected machines (figure 4B; page 2, paragraph 26).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combination of Moulden and Brooks in view of Singh so that the system would be able to process corresponding requests for the test script. One would be motivated to monitoring server processes in a client-server system.

Response to Arguments

Applicant's arguments with respect to claims 1-56 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tina Nguyen whose telephone number is 571-272-3864, and the fax number is 571-273-3864. The examiner can normally be reached on 8:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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